

**367.628 Acts prohibited for roofing contractor.**

- (1) A roofing contractor shall not represent, negotiate, or advertise to represent or negotiate on behalf of an owner of residential real estate on any insurance claim in connection with the repair or replacement of a roof system. Nothing in this subsection shall be construed to prohibit a roofing contractor from:
- (a) Providing an estimate for repair, replacement, construction, or reconstruction of the property to the owner of residential real estate; or
  - (b) Conferring with an insurance company's representative about damage to the property after a claim has been submitted by the owner of residential real estate.

This subsection shall not apply to a public adjuster licensed under Subtitle 9 of KRS Chapter 304.

- (2) Where the goods or services are expected to be paid from the proceeds of a property and casualty policy, a roofing contractor or person representing a roofing contractor shall not:
- (a) Cause damage to any part of a roof system in order to increase the scope of repair or replacement, or encourage a person to cause damage to any part of a roof system in order to secure a contract for repair or replacement;
  - (b) Offer to pay or rebate all or any portion of an insurance deductible or claims proceeds as an inducement to the sale of goods or services related to a residential roof contract;
  - (c) Grant an allowance or discount against the fee to be charged under the contract; or
  - (d) Pay or offer to pay the owner of residential real estate or his or her representative for whom services have been or will be performed pursuant to KRS 367.620 to 367.628, for any reason, any form of compensation in excess of one hundred dollars (\$100), including but not limited to a:
    - 1. Bonus;
    - 2. Coupon;
    - 3. Credit;
    - 4. Gift;
    - 5. Prize;
    - 6. Referral fee; or
    - 7. Any other item having a monetary value.

**Effective:** June 29, 2017

**History:** Amended 2017 Ky. Acts ch. 46, sec. 1, effective June 29, 2017. -- Created 2012 Ky. Acts ch. 97, sec. 5, effective July 12, 2012.